Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women (CEDAW)

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fourth periodic report of States parties

Addendum

United Kingdom of Great Britain and Northern Ireland*
(The Falkland Islands)

* For the initial report submitted by the Government of the United Kingdom, see CEDAW/C/5/Add.52 and Amend.1–4; for its consideration by the Committee, see CEDAW/C/SR.155, CEDAW/C/SR.156 and CEDAW/C/SR.159 and CEDAW/C/SR.160, and *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38* (A/45/38), paras. 167-213. For the second periodic report submitted by the Government of the United Kingdom, see CEDAW/C/UK/2 and Amend.1; for its consideration by the Committee, see CEDAW/C/SR.223 and *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 38* (A/48/38), paras. 523-589. For the third periodic report submitted by the Government of the United Kingdom, see CEDAW/C/UK/3 and Add.1. and Add.2.

99-05702 (E) 210499

Introduction

1. The Third Report in respect of the Falkland Islands was submitted in June 1997. This report supplements that Report.

2. This Report has been prepared in consultation with the authorities of the Falkland Islands.

3. A contemporary report has also been submitted to the Committee established for the Convention on the Rights of the Child. In this report, the Committee is referred to certain parts of that Report which also relates to the position of women.

The role and position of women in society in the Falkland Islands

4. In paragraph 5(a) of the Third Report statistics were given in relation to education. Those statistics are now updated by information in relation to 1997 as follows:

(a) General Certificate of Secondary Education examinations -

Boys sitting examinations	10
Girls sitting examinations	16
Total candidates	26
Total passes all grades	199
Grade C and above passes (all candidates)	102
Grade C and above passes (girls)	62

(b) Students sent overseas by Falkland Islands Government for secondary education for 12th and 13th years of education as at September 1997-

Total	20
Girls	7

(c) Teaching staff employed as at 1 February 1998 -

	Teachers	Assistant Teachers & Special Needs Assistants
Falkland Islands Community School:		
Male	5	1
Female	12	1
Stanley Infant/Junior School:		
Male	2	0
Female	10	8
Camp Education Service:		
Male	5	0
Female	6	0

5. In paragraph 5(d) of the Third Report statistics were presented with regard to the employment and training of women by the Falkland Islands Government. The following statistics have been presented by the Human Resources Department of the Falkland Islands Government to update those statistics and are correct as at 7 September 1998:

(a) the total number of persons currently employed by the Falkland Islands Government in administrative/technical/professional posts, including contract officers is 347;

(b) the number of those included in (a) who are women is 189;

(c) the number of persons included in (a) who are employed in higher grade posts
(grade D and above) is 177, and the number of these who are women is 68;

(d) the number of persons employed who do not fall within (a) is 294 (non-clerical);

(e) the number of persons of those given at (d) who are women is 103 (non-clerical);

(f) the number of employees sent overseas for training in the 1996/1997 financial

year (June to July) was 40 and in the 1997/1998 financial year was 20; and

(g) the number of persons in (f) who are women was 8 in 1996/1997 and 10 in 1997/1998.

6. In paragraph 2(b) of the Initial Report (CEDAW/C/5/Add.52/amend.2) it was reported that it was known that the proportion of women in employment was tending to increase. Younger married women now frequently seek to be employed throughout their married lives, taking short breaks in connection with the birth of a child and returning to work soon after each child's birth. Even these short breaks in employment have adverse effects in relation to the willingness of some employers to engage women of child-bearing age in management positions or any other position in which a temporary replacement cannot readily be engaged locally. To some extent the difficulty of finding a temporary replacement is accentuated in the small local labour market in a situation where, for some years, there has been full employment. While instances of discrimination of the kind mentioned are difficult to prove, there is anecdotal evidence that they exist. Discrimination of this kind is at present not unlawful, except in relation to employment by the Falkland Islands Government itself. The Government has in mind, however, the enactment of sex discrimination legislation towards the end of 1998 or in early 1999, along similar lines to that at present in force in the United Kingdom.

7. The early return of women to work after childbirth has led to a number of persons offering baby-minding and child-minding for payment. This is a comparatively new development since, in the past, the babies and older children of women at work would normally be looked after by a female relative. Some of the women offering baby-minding or child-minding services have young children of their own. While there is no legislation, such as that in force in the United Kingdom, in relation to the registration and control of child-minding activities, the Social Welfare section of the Medical Department informally supervises such activities and at present, no need for more formal control has been identified.

8. In recent months, a demand for a more formal, private enterprise, creche has developed and it is hoped that a suitable building will shortly be found so that it can be established. There is already a nursery school operating during mornings of school terms and a children's play group in Stanley. For a number of years, the Falkland Islands Government has admitted children to school, on a voluntary basis, from the beginning of the school year in which they attain their fifth birthday. With effect from the school year beginning in January 1999, attendance at school of all children attaining their fifth birthday during the calendar year will be compulsory.

9. Working hours for women in full-time employment do not coincide with school hours. Working hours in Government offices are (generally) 8am to 12noon and lpm to

4.30pm. At the Stanley Infant and Junior School, the school hours are 9am to 12noon and 1.30pm to 3.35pm (younger children) and 3.50pm (older children). Lunch is not provided at school and children are not permitted to remain at school to consume a packed lunch. It is only because of the short distances between workplace, home and school that the difficulties are not unmanageable for working mothers. Even so, particularly at lunch time, children have to be ferried by car between school and home if they live in the newer housing developments at the east or west ends of Stanley. For this and other reasons, many families have two motor vehicles and most younger women are drivers.

10. The increased employment of women, while it has assisted the economic development of the Falkland Islands, has undoubtedly contributed to a trend towards smaller family sizes and is expected to lead to an increase in the average age of the population. This, if it continues and in the absence of immigration, might lead to a reduced number of persons of working age. Thus on a smaller scale, the Falkland Islands in this respect appear to be paralleling trends in a number of western industrialised societies.

11. Very few persons born in the Falkland Islands and aged 30 or above have attended university or other institutes of tertiary education. This applies as much to men as it does to women and the reason is purely economic. Prior to 1987 (when the Falkland Islands began to receive the benefit of income from the fisheries in the waters surrounding the Falkland Islands) the Falkland Islands Government could only afford to send a very limited number of pupils of over 15 years of age overseas for the later years of secondary education, and education at a tertiary level was dependent on funding through the British Council. Those who attained tertiary qualifications remained overseas because there were few prospects in the Falkland Islands.

12. The consequence at the present day is that the Falkland Islands Government and to some extent employers in the private sector have needed to recruit persons on contract overseas to carry out duties which, otherwise, might have been performed by local people. The high priority which the Falkland Islands Government places on education and training of local people is intended to remedy this situation for the future whilst recognising that having regard to the size of the population it is always likely that some skilled personnel will need to be recruited overseas.

13. The limiting effect of a lack of tertiary education suffered by persons born in the Falkland Islands over about 30 years of age is common to both sexes. The Falkland Islands Government is endeavouring to address it in respect of the whole of the population by having established a training committee composed of representatives from Government and the private sector with a task of identifying and addressing the training needs and aspirations of the whole population, while overseas education at

universities and the like (which is generously funded) continues to be administered by the Department of Education.

14. The Falkland Islands Government will undertake a training needs analysis of every pupil leaving school. The academically gifted and inclined will continue, as at present, to go overseas to complete their secondary education and, it is hoped, then progress to universities and similar institutions for tertiary education. Those less academically gifted or inclined will be encouraged and assisted to undertake vocational training either in the Islands or overseas to meet measured vocational standards and qualifications. This will apply without discrimination as between males and females.

15. The exercise will also be undertaken in respect to all employees in the Falkland Islands Government's employment and the Government will encourage private sector employees to do the same. Again this is irrespective of the sex of the employee or marital status. In some cases the training identified will be provided by "distance learning", at least initially, in others it will be necessary for the trainee to be sent overseas.

16. The new development has in part evolved, but with more focus, from the Falkland Islands Government's previous policy of generous assistance to employees to undertake training overseas.

17. As at 1 October 1998 the Falkland Islands Government was funding the training of one woman as a medical practitioner, two women as veterinary surgeons, two women as graduate nurses, one woman as a radiologist and part-funding the two years compulsory in-service professional training of one woman as an English solicitor (having previously fully funded her university and her compulsory post-graduate professional training). It is fully funding the training of a woman towards qualification as a member of a professional accountancy body. In each of the last three years, the Falkland Islands Government has arranged for a number of one day and two day courses conducted by the Industrial Society to be carried out locally.

18. There are somewhat different circumstances in relation to females in Camp (the countryside of the Falkland Islands outside Stanley) than those appertaining to females living in Stanley. While the relevant information is not contained in the 1996 Census Report, the Falkland Islands Government is aware that there are few unmarried women of working age living in Camp. The employment opportunities, for both men and women, outside the sheep farming industry are necessarily limited. Only a handful of farms employ permanent labour and full-time rather than casual employment in the summer is not generally available to women on these farms. The great majority of farms in the Falkland Islands are owner-occupied and operated, except for the employment of casual labour for a few weeks in the summer. Most of these farms are "husband and wife" farms but a few are owned and operated by a man living on his own

(none so owned and operated by a woman). Notwithstanding that the life on husband and wife farms is a difficult one, both in terms of the economics of the enterprise (wool prices having been internationally depressed for some years) and because it is physically demanding, the Falkland Islands Government is under pressure to provide more such farms for sale. In part this may be because the way of life in Camp is regarded as representing the ethos of the Falkland Islands.

19. The Falkland Islands Government is conscious of the particular difficulties faced by families living in Camp. Partly to increase the opportunities of social contact between families living at remote locations, the Falkland Islands Government has progressively constructed roads to serve remote settlements. In addition it has financed the extension of television broadcasting so that television can be received throughout Camp. The Falkland Islands Development Corporation has promoted a Rural Energy Scheme with the object of achieving the availability of 24 hour electric power to every house in Camp.

20. The Falkland Islands Development Corporation continues to encourage the setting up of cottage industries in Camp with a view to increasing employment opportunities there and to assist in the expansion of such businesses which are valuable to increase business opportunities, particularly for (but not limited to) women.

Legal and other matters to implement the Convention

21. An Equal Employment Rights Bill (based on the Equal Pay Act of the United Kingdom) has recently been drafted and a Sexual Discrimination Bill (again based on the United Kingdom legislation) is in an advanced stage of planning. It is hoped that both of these pieces of legislation, which have obligations under the Convention in mind, will be enacted in coming months.

22. The Falkland Islands Pensions Scheme Ordinance 1997, foreshadowed in paragraph 12 of the Third Periodic Report was enacted: a copy is annexed. There has been no public demand for a change in the provisions of the Taxes Ordinance 1994 (now consolidated in the Taxes Ordinance 1997) which provide for a joint tax return and assessment for married couples. The Falkland Islands Government continues to undertake to introduce a change in the law if there is any local demand for such a change.

Cultural prejudice and family life education

23. There is no doubt that, in the past, Falkland Islands society regarded a woman's role as being subservient to that of men and primarily to revolve around home life. The Falkland Islands Government believes that the initiatives it has taken and reflected in this and previous Reports will do much to assist to remove such role-typing. It regards

as particularly important the education given in Falkland Islands schools and reflected in paragraphs 14 and 15 of the Third Periodic Report.

24. In paragraph 90 of the Initial Report in respect of the Falkland Islands in relation to the Convention on the Rights of the Child, the Falkland Islands Government's general approach to child protection was dealt with. This is, so far as is consistent with the interests of the particular child, to approach the family as a unit. In some cases the mother will be found to be deficient in parenting skills or household abilities. The Falkland Islands Government's social welfare section endeavours by guidance and advice to assist in such situations.

25. Mothers who are single parents looking after one or more children have special difficulties, particularly where there are young children. It is, for example, regarded as important that the mother should be able to get away from the children from time to time, at least for a few hours. Where necessary, the Falkland Islands Government assists in this, by paying for child-minding services. Reference is made to paragraph 118 of the Initial Report under the Convention on the Rights of the Child which specifies the allowance paid to single parents.

Sexual exploitation of women

26. There is no known prostitution or other form of exploitation for sexual purposes of women in the Falkland Islands.

Political and public life

27. Women in the Falkland Islands continue to play an important part in the political and public life of the Falkland Islands. A general election was held in October 1997 at which three of eight persons selected to membership of the Legislative Council were women. In June 1998, the two representatives of the Falkland Islands at the Committee of 24 of the United Nations were female members of the Legislative Council. Female members of the Legislative Council regularly attend Commonwealth Parliamentary Association meetings overseas. A number of Government committees are chaired by female members of the Legislative Council. They regularly attend Commonwealth Parliamentary Association meetings overseas.

28. There are a number of local organisations which are specifically intended for women but, in addition to these, women are prominent in a number of other local organisations, including the Falkland Islands Museum and National Trust, Falklands Conservation and the local branch of the Falkland Islands Association. The secretary of the Farmers Association is a woman.

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Fourth periodic report of States parties

Addendum

United Kingdom of Great Britain and Northern Ireland* (The Virgin Islands)

* For the initial report submitted by the Government of the United Kingdom, see CEDAW/C/5/Add.52 and Amend.1–4; for its consideration by the Committee, see CEDAW/C/SR.155, CEDAW/C/SR.156, CEDAW/C/SR.159 and CEDAW/C/SR.160, and *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38* (A/45/38), paras. 167–213. For the second periodic report submitted by the Government of the United Kingdom, see CEDAW/C/UK/2 and Amend.1; for its consideration by the Committee, see CEDAW/C/SR.223 and *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 38* (A/48/38), paras. 523–589. For the third periodic report submitted by the Government of the United Kingdom, see CEDAW/C/UK/3 and Add.1and 2.

99-05708 (E) 210499

Introduction

1. This Fourth Report supplements the Third Report in respect of the Virgin Islands dated January 1998.

2. This Report has been prepared in consultation with the authorities of the Virgin Islands.

3. A contemporary report has also been submitted to the Committee established for the purposes of the Convention on the Rights of the Child. In this report, the Committee is referred to certain parts of that report which also relate to the position of women.

The Convention

Article 2
Elimination of discrimination

The Women's Desk

4. The Women's Desk continues to function. Its objects include securing compliance with the Convention, but its activities are restricted by the fact that it is a one-woman office and by its limited funding. In particular, it has been unable to initiate any activity in relation to the Hispanic population or as regards prostitution.

Amendment of the Labour Code

5. The Women's Desk continues to urge that the amendment of the Labour Code referred to in the Third Report includes a requirement that employers adopt in-house guidelines on sexual harassment and procedures for dealing with it at the workplace.

Legislation regarding sexual abuse

6. The Criminal Code of 1997 has been amended to provide stronger penalties for sexual offences. Unlawful sexual intercourse with a girl between the ages of 13 and 16 years now carries a maximum penalty of seven years imprisonment and with a girl under 13 years a maximum penalty of fourteen years imprisonment.

7. The amended Code also provides a new offence of marital rape, which is defined as a sexual assault by a husband against a wife in circumstances where there is a decree nisi of divorce, a decree of judicial separation, a separation agreement or any kind of protection order. The penalty is ten years imprisonment.

Domestic violence and the Family Support Network

8. The results of a survey on domestic violence which was conducted in 1997 by a Commonwealth Fund for Technical Co-operation Consultant were published in 1998. Of the 330 women who participated, slightly more than 28 per cent had experienced some form of physical abuse. Less than half of them had reported the abuse to the police and most remained in the domestic relationship because they were afraid to leave or for financial reasons. Among the recommendations of this report, were further training for police officers, the development of protocols for use within and among the relevant agencies, the strengthening of the Women's Desk with staff and funding, and the provision of funding for the Family Support Network. A consultant has been engaged to develop the protocols which should be ready by the end of February 1999.

9. The Family Support Network continues to provide shelter for women and its services have been used for several women during the past year. At present it operates a second hand clothes shop as a fund raising activity. Again there is a lack of staff and, as noted in the above report, funding, one of the consequences of which is the inability to maintain records. The Women's Desk will hold two seminars in 1999 to strengthen the services provided by the Network. One will be on the basic issues of domestic violence and sexual abuse and will include items on shelter and hotline volunteers. The other is intended to act as an introductory course for people wishing to act as victims' advocates and will provide information on the relevant legislation.

Article 5
Stereotyped roles

10. The Women's Desk has proposed the adoption in labour legislation of an entitlement to paternity leave with the object of recognising the shared role of men and women in parenting.

Article 8
Political and Public Life

11. Women continue to represent the Islands at regional and international conferences. The acting director of tourism was recently chosen by Travel Agent Magazine as one of the 200 most powerful women in the travel business.

Article 11
Employment

Business

12. The Social Security Board has a record of 188 women in the territory who are self employed. The majority, 30, participate in the yacht charter and boat supply sector. Other popular businesses are bars and restaurants (15), stores and boutiques (14), sign and dressmaking (10) and vending and crafts (14). Other self-employed women are engaged in day-care, taxi services, legal services and accountancy.

13. In 1998, the Islands Government initiated a small business development scheme - the Micro Enterprise Development Programme - to encourage entrepreneurship. Thirteen of the twenty participants were women.

Farmers

14. The Women's Desk has conducted a survey on women farmers. There are approximately 80 women farmers in the territory, most of whom concentrate on vegetable and fruit production. The survey showed that most were over the age of 55; they farmed less than one acre and made less than $1,000 per month. The findings of the survey will be published in a report - *Women Farmers of the Virgin Islands* - due to be published by the end of February 1999. This report will also trace women's historical contribution to the agriculture of the territory and contain biographies of several women farmers.

Domestic workers

15. There are more than 1,000 domestic workers in the territory most of whom earn the minimum wage of $3 per hour. Many are migrants and single parents. The Women's Desk will hold a two-day conference in February 1999 for domestic workers which will be attended by an ILO representative and a representative of a domestic workers association in the Region. The conference is intended to highlight the status and condition of domestic servants and it is hoped that it will develop support for a local association.

Article 12
Health care

Health education

16. The Women's Desk participated in the second Health and Wellness Fair sponsored by the Health Department on 30 and 31 August 1998. Information provided at the Desk's booth included material on domestic violence, child abuse, sexually transmitted disease including HIV, rape and cancer.

Pregnancy

17. The Social Development Department and the High School Guidance Section initiated a "Baby Think It Over" programme in 1997. The programme aims to reduce teenage pregnancy and uses a computerised doll to give young people experience of what caring involves. So far, 150 girls and boys have participated in the programme.

18. Community concern is rising about the number of girls who have become pregnant by significantly older men in the past year. Exact figures are not known, but at least two of the girls have been primary school students. The Women's Desk plans to initiate an awareness campaign this year about the relevant sections of the Criminal Code.

HIV/AIDS

19. Since 1985, there are known to have been 47 cases of HIV infection of which 27 were women; the sex of seven is not recorded. Of 16 deaths from AIDS, four were women. It is believed that heterosexual contact continues to account for more than 80 per cent of transmissions. The number of cases may be higher than those noted above as people seek treatment off-island.

Other health issues

20. For further information, the Committee is referred to the following paragraphs of the Initial Report on the Convention of the Rights of the Child dated October 1998:

paragraph 37 (infant mortality);

paragraph 38.2 (antenatal immunisation);

paragraph 42 (services to expectant mothers);

paragraph 45 (day care facilities).

Article 13
Finance

21. The Women's Desk initiated a financial educational campaign in 1998. Three seminars covering the basics of budgeting and investing were held, attended by 43 women and three men. The Desk has also provided information on family saving and budgeting and investing. It is proposed to continue this campaign during the present year with sessions on home ownership, business start-up and budgeting for the single parent, among other topics.

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99-05729 (E) 060499

Introduction

1. This report supplements the Third Report in respect of the Turks and Caicos Islands dated January 1998.

2. This Report has been prepared in consultation with the authorities of the Turks and Caicos Islands.

3. A contemporaneous report has also been submitted to the Committee established for the purposes of the Convention on the Rights of the Child. In this report, the Committee is referred to certain parts of that report which also relate to the position of women

Background

Population and economy

4. Current estimates are:

Population:	in excess of 20,000	
GDP (1996):	US$ 114,852	
Tourism:	arrivals (1997):	93,011
	estimates (1998):	102,000.

Laws

5. The Sex Disqualification (Removal) Ordinance 1950 had rendered unlawful any disqualification by sex or marriage for the exercise of any public functions, for appointment to any civil or judicial post, for entering any civil profession or vocation, or for admission to any incorporate society. Updating, and extending, those provisions as regards the public service, the 1998 edition of the General Orders of

the Turks and Caicos Islands Public Service includes Order 1.4 ' Women in the Public Service' - which provides:

> "Women candidates compete for entry into the Public Service and for promotion within the Public Service on equal terms with men and receive equal pay for equal work. Save as may be expressly provided in these Orders, women officers enjoy the same conditions as men."
> (There are presently no exceptions in General Orders)

Specific information relating to Articles of the Convention

Article 5
Elimination of prejudices and stereotyped roles

6. Further to paragraph 6 of the Third Report, a trained and experienced counsellor has now been appointed to Clement Howell School. Clement Howell is the largest school in the Islands. Counselling programmes have been implemented as a consequence of her appointment.

Article 6
Sexual exploitation of women

7. The 1997 statistics for the crimes against women are as follows:

Assault occasioning actual bodily harm:	4
Assault on a female:	6
Rape:	3
Indecent assault:	3
Murder:	1.

Article 7
Political and Public Life

8. The Chief Secretary attended the meeting of Commonwealth Senior Officials in London in October 1998. The post of Deputy Chief Secretary is now also held by a woman, as are the four posts of District Commissioner.

Article 11
Employment

9. Under the Employment Order made under the Employment Ordinance (Cap.136), which applies equally to both sexes:

- a minimum remuneration is payable to every employee;
- holidays are to be granted;
-any employee absent from work because of ill health is to be paid remuneration at a prescribed rate and is entitled to return to work at the end of a prescribed period;

- severance pay at a prescribed rate is payable for a prescribed period of continuous employment;
- the maximum number of hours of work and other terms and conditions of employment are prescribed.

10. Section 2 of the Ordinance entitles women to eight weeks maternity leave, if she has been in employment for two years, for four confinements. The employee is entitled to holiday leave in addition to maternity leave. The General Orders for the Public Service also provide for maternity leave of six weeks on full pay or twelve weeks on half pay; the qualifying period of two years does not apply to women on the pensionable establishment. Under the national insurance scheme, a maternity grant is payable to a woman by virtue of her own or her husband's insurance.

Article 12
Health

11. Following a report on health sector reform in 1994, the Government of the Turks and Caicos Islands established a Primary Health Care Unit responsible for first level health care for the inhabitants. The Primary Health Care Unit is responsible for the total care of the pregnant woman and the safe delivery of a healthy infant. This includes the encouragement of an early "booking" in the first three months, at least six visits to the antenatal clinic, of which two at least are conducted by an obstetrician and the rest by a qualified midwife. Ultrasound examinations are conducted and diseases diagnosed are treated, e.g. toxaemia in pregnancy. If they consent, pregnant women are tested for HIV and the drug AZT is offered to HIV positive mothers. Women are also screened for hepatitis B and necessary treatment given. Fetal monitoring is conducted on women in labour. Iron supplements are routinely given to pregnant women.

12. For further information the Committee is referred to paragraphs 37 and 38 (pregnant women and infant mortality), paragraphs 41 and 43 (health services, family planning and health education) and paragraph 44 (AIDS/HIV) of the Initial Report under the Convention on the Rights of the Child in respect of the Turks and Caicos Islands dated September 1998.

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99-05735 (E) 010499

GENERAL BACKGROUND

1. A general political, legal, social and economic description of the Isle of Man is set out in Appendix XII to the Core Document of the Overseas Territories and Crown Dependencies of the United Kingdom (HRI/CORE/1/Add.62 of January 1996) as supplemented by Part One of the Initial Report for the Isle of Man (CEDAW/C/5/Add.52/Amend.3).

2. This Report contains information on developments since the Initial Report.

Population

3. The population of the Island has continued to rise. The resident population at the last (interim) census of April 1996 was 71,714, comprising 34,797 males and 36,917 females. The number of women and the proportion of women in employment has also risen. See paragraph 15 below for a Table of the economically active population.

Economy

4. Financial services and manufacturing continue to be the most important sectors of the economy. Ship management and telecommunications have expanded over recent years.

Government and Law

5. Joint sessions of Legislative Council and the House of Keys which constitute Tynwald - the Legislature - are now presided over by the President of Tynwald, an elective office, in place of the Lieutenant Governor. The former Executive Council is now entitled the Council of Ministers. The office of an additional professional magistrate, the Deputy High Bailiff, has been established. The limit for claims under the small claims arbitration system has been raised from £1,000 to £2,000.

Legal and other Measures

6. Proposed legislation regarding discrimination in employment is noted in paragraphs 8 and 19 below and recent legislation regarding the termination of pregnancies in paragraph 22 below.

SPECIFIC ARTICLES

Article 3 - Human Rights and Fundamental Freedoms

7. It is proposed to introduce a Human Rights Bill into the Legislature early in 1999. The Bill is designed to give effect in domestic law to the European Convention on Human Rights in similar terms to the Human Rights Act 1998 of the Westminster Parliament.

Article 4 - Temporary Measures

8. An Employment (Sex Discrimination) Bill has been drafted and is intended to be introduced shortly into the Legislature. There is provision in the draft Bill which would permit single sex training to help support women in the labour market. This is designed to remedy any imbalance in the training opportunities available to women and to provide preferential training for women who have had a career break while raising children when they seek to return to employment.

Article 6 - Sexual Exploitation of Women

9. Legislation for the protection of women - the Sexual Offences Act 1967- was described in the Initial Report. There were 46 recorded sexual offences against women and children in 1998 as follows:

Rape: 11
Indecent assault on a female: 28
Unlawful sexual intercourse with a girl under 16 years: 5
Indecency with children: 2.

Article 7 - Public Appointments

10. Presently, two out of the 24 members of the House of Keys are women and one of the ten members of the Legislative Council. There are a number of women amongst the elected local authorities in the Island.

11. It is the declared policy of the Isle of Man Government that the best available candidate should be appointed to fill each vacant post in the Public Service by ensuring that recruitment and selection procedures operate fairly and without discrimination of any kind. Men and women have equal opportunity for employment and advancement on the basis of their ability, qualifications and fitness for work. Equal pay for men and women has

been a feature of appointments in the Public Service for may years along with training and development opportunities. 52 per cent of Civil Service employees are women. Annex A contains a Table of Civil Service employees by sex and payspan.

Article 10 - Education

12. In 1998, there were approximately 11,157 children attending primary and secondary schools in the Isle of Man.

Primary Schools:	35
Pupils at Primary Schools	6,364 (3,271 boys and 3,093 girls)
Secondary Schools	5
Pupils at Secondary Schools	4,793 (no breakdown between sexes available)

A further 9430 students (no breakdown between sexes available) attended courses at the Isle of Man College of Further Education. There is also one (fee charging) independent school open to boys and girls.

13. 1,190 students (575 male and 615 female) receive education grants from the Island's Department of Education, 943 of them (470 male and 473 female) in respect of degree courses at universities in the United Kingdom.

14. For a trial period, science is being taught as a single sex subject at St. Ninian's High School. This is a subject in which boys have traditionally performed better than girls, and the purpose of the trial is to see if girls do better if they do not feel they are in competition with boys.

Article 11 - Employment

Employment

15. The following Table sets out the economically active population by sex and occupation as in 1996:

	Sex		
Occupations	Males	Females	Total
1 - Professional	1218	258	1476
2 - Managerial &	5692	4206	9898

Technical			
3 - Skilled, Non-Manual	2560	6574	9134
4 - Skilled, Manual	5950	1058	7008
5 - Partly Skilled	2720	2041	4761
6 - Unskilled	1048	1053	2101
7 -Other	89	10	99
8 - No previous Occupation	200	89	289
10 -Unknown	31	14	45
Total	19508	15303	34811

16. The current unemployment rate is approximately 1.1 per cent of the work force.

Legislation

17. The Initial Report noted the enactment of the Employment Act 1991 which gave effect to recommendations in the Collinson Grant Report and consolidated employment legislation. The Act provided protection against discrimination in the workplace on the grounds of sex and marital status. Section 51 of the Act provides:

> "(1) Where an employer dismisses an employee-
>
> (a) in circumstances in which the employee is treated less favourably than he would have been treated if he had been of the opposite sex, or
>
> (b) because the employee does not meet or has not attained a standard which applies equally to employees of the opposite sex but-
>
> (i) which is such that the proportion of persons of the employee's sex who can meet or attain it is considerably smaller than the proportion of persons of the opposites sex who can do so, and

(ii) which the employer cannot show to be justifiable irrespective of the sex of the person to whom it is applied; and

(iii) which is to the employee's detriment because he cannot meet or attain it,

the dismissal shall be regarded as unfair..... "

"(2) Where an employer dismisses a married employee-

(a) in circumstances in which the employee is treated less favourably than he would have been treated if he had been unmarried, or

(b) because the employee does not meet or has not attained a standard which applies equally to unmarried persons but,

(i) which is such that the proportion of married persons who can meet or attain it is considerably smaller than the proportion of unmarried persons who can do so, and

(ii) which the employer cannot show to be justifiable irrespective of the marital status of the person to whom it is applied, and

(iii) which it is to the employee's detriment because he cannot meet or attain it,

the dismissal shall be regarded as unfair....".

(It should be borne in mind that, according to legislative practice and law, words in the masculine gender normally include the feminine.) A person who is unfairly dismissed may apply to the Employment Tribunal for compensation.

18. The 1991 Act also extended the period of maternity leave, after which a woman could return to work, from seven to 12 weeks and extended the protection against unfair dismissal to situations where dismissal follows an absence from work on account of maternity.

19. An Employment (Sex Discrimination) Bill has now been drafted to extend the protections granted by the 1991 Act. The Bill is expected to be introduced into the Legislature early in 1999. It is based on Equal Pay Act 1970 and the employment provisions of the Sex Discrimination Act 1975 (both of the United Kingdom Parliament) and is intended to provide remedies against discrimination on grounds of sex or marital status in relation to advertisements and offers of employment, terms and conditions of employment (including pay), and termination of employment.

Training

20. Men and women have equal rights to participate in all training schemes and programmes which have the support of the Training Division of the Department of Trade and Industry. The percentages of women on current training schemes are as follows:

Animation	22%
Catering	23%

Chefs	26%
Construction	2%
Engineering	9%
Hairdressing	86%
Hospitality management	50%
Office technology	65%
Travel & Tourism	70%
Small Business Start-up Scheme	32%.

Article 12 - Health Services

Health Services

21. The Initial Report noted the provision of health services through the National Health Service and a number of specific services for women. Such services continue to be available: family planning services are now free for all and the perinatal mortality rate has reduced to 6.6/1000; (the average for the years 1994 to 1997 inclusive). There has been an increase of spending on discouraging smoking but without a significant reduction in the numbers of those who smoke.

Legislation

22. The Termination of Pregnancy (Medical Defences) Act 1995 came into force in January 1996. It provides a statutory defence to a doctor who carries out a termination of a pregnancy in order to preserve the life of a woman, or where, because of physical or mental abnormalities, the child is unlikely to survive birth or will be seriously handicapped, or where the pregnant woman has been the victim of rape, incest or indecent assault. This Act is a significant development since, apart from its provisions, abortion is illegal in the Island.

Article 16 - Marriage and Family Relations

23. The law of the Isle of Man does not discriminate against women in matters relating to marriage and the family.

24. The Initial Report noted the Marriage Act 1984 and the Domestic Violence and Matrimonial Proceedings Act 1978. The Family Law Act 1991 made various provisions respecting parental responsibility. Under that Act, both the father and mother of a child of a marriage, and both an adoptive father and an adoptive mother, have the same parental responsibility for a minor child. Both father and mother may appoint a guardian

of the child in the event of death. Although the mother of a child other than a child of a marriage or an adopted child has, by law, sole parental responsibility, the father may also acquire it by agreement with the mother or by order of the Court. Either parent may be required to make financial provision for the benefit of their children.

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